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PATENT COOPERATION TREATY



Translation

PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference LECA 1 B PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2002/003259	International filing date (day/month/year) 24 septembre 2002 (24.09.2002)	Priority date (day/month/year) 25 septembre 2001 (25.09.2001)
International Patent Classification (IPC) or national classification and IPC H04N 7/10		
Applicant LEE, Henri		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
<input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul>

Date of submission of the demand 24 avril 2003 (24.04.2003)	Date of completion of this report 26 November 2003 (26.11.2003)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2002/003259

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ 1-15 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ 1-15 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages \_\_\_\_\_ 1-2 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-15	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-15	NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

**2. Citations and explanations**

Reference is made to the following documents cited in the international search report:

- D1: EP-A-1 061 741 (DAETWYLER AG) 20 December 2000  
(2000-12-20)
- D2: US-A-5 950 111 (GEORGER WILLIAM HUGO ET AL) 7  
September 1999 (1999-09-07) cited in the application
- D3: EP-A-0 329 912 (IBM) 30 August 1989 (1989-08-30)
- D4: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 10, 17  
November 2000 (2000-11-17) & JP 2000 188153 A  
(MATSUSHITA ELECTRIC WORKS LTD), 4 July 2000 (2000-  
07-04)
- D5: WO 01 69925 A (KAPLAN ROBERT; BUSCH GERARD (FR);  
MICSYSTEMES S A (FR)) 20 September 2001 (2001-09-20)
- D6: US-A-5 130 793 (BOTTIN DANIEL ET AL) 14 October 1992  
(1992-10-14) cited in the application

**I. Independent claim 1:**

- a. Document D1 describes a television signal  
distribution system as defined in claim 1. The  
following passages of document D1 are particularly  
relevant:
- column 1, lines 1-5: television signal  
distribution system;

- figure 1, ref. 1 and 12: coaxial cables; ref. 13: television receiver;
  - figure 1, ref. 3: processing unit with asymmetric-to-symmetric conversion;
  - figure 1, cable 7 and column 6, lines 46-49: the transmission on cable 7 is symmetric; and
  - figure 1, ref. 9 and column 7, lines 1-8: symmetric-to-asymmetric conversion.
- b. The subject matter of the claim differs from document D1 by virtue of the nature of the cable, which in D1 is not explicitly described as being a twisted pair, and in that the frequency band in question, which is within the range of 5 to 900 MHz in the claim, is within the range of 40 to 450 MHz. It should be considered, however, that document D1 clearly defines a symmetric transmission on cable 7, and that the impedance of the latter is 100 ohms, which is a typical (standardized) value for a twisted pair (IEC/ISO 11801), and that it relates to a data transmission cable. From the above, it clearly follows that document D1 refers implicitly to the use of a twisted pair. With regard to the bandwidth, which the claim defines in approximate terms (around), it should be noted that the order of magnitude is the same; therefore, no inventive step is required to change from a band within the range of 45 to 450 MHz to a band within the range of 5 to 900 MHz. Moreover, the claim does not define any features that can constitute a specific technical advantage related to the use of a band within the range of 5 to 900 MHz.
- c. All of the features disclosed in the claim can be derived from document D1. Therefore, the subject matter of this claim does not involve an inventive step, contrary to the requirement of PCT Article

33 (2) .

2. Independent claim 15:

a. Insofar as the subject matter of the claim can be understood, given the unclear wording thereof, document D1 appears also to disclose signal transmission cutting means acting upstream of the output terminals (4) in the passage in column 7, lines 38 to 41.

The cutting of the transmission clearly appears not to have the same purpose in the application as in document D1, because D1 provides the signal cutting downstream on the basis of user access rights. However, even if the implementation means are not identical, they are within the abilities of a person skilled in the art. Moreover, the claim does not define specific features suitable for cutting the transmission *from a terminal that is not connected to a coaxial cable connected to a TV receiver.*

b. Even if it is true that document D1 describes only a cabling system with a view to the distribution of signals on a downlink channel, the implementation of an uplink channel does not appear to be a measure outside the normal abilities of a person skilled in the art. Moreover, none of the features defined in the claim is suitable specifically for implementing an uplink channel within the range of 5 to 65 MHz. If it was necessary to show a transmission band within the range of 5 to 900 MHz divided into downlink channels and uplink channels, document D3 could be considered, in which signals within the range of DC to 50 MHz (column 4, lines 39-42) are transmitted on a twisted pair in a first channel, and signals on a band within the range of 50 to 300 MHz (column 3, lines 29-30), or even 1 GHz (column

12, lines 22-26), are transmitted in a second channel.

- c. All of the features disclosed in the claim can be obviously derived from the prior art. Therefore, the subject matter of this claim does not involve an inventive step, contrary to the requirement of PCT Article 33(3).

3. Dependent claims:

- a. In view of the teaching of document D1 and the general abilities of a person skilled in the art, the preferred embodiments defined in the dependent claims do not appear to involve an inventive step (PCT Article 33(3)).